

TIMOTHY P. MURPHY, ESQ. (Bar No. 120920)
EDRINGTON, SCHIRMER & MURPHY LLP
2300 Contra Costa Boulevard, Suite 450
Pleasant Hill, CA 94523-3936
Telephone: (925) 827-3300
Facsimile: (925) 827-3320

[G.C. §6103]

Attorneys for Defendants
COUNTY OF ALAMEDA, GREGORY J. AHERN,
DAVID LINCOLN and JESUS RUBALCAVA-GOMEZ

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND BRANCH

SUSIE ZAHN, individually and as successor-
in-interest to Decedent GARY OLDHAM,

CASE NO.: 4:17-cv-1107-DMR

Plaintiff,

**STIPULATION FOR ENTRY OF ORDER
OF DISMISSAL AND [PROPOSED]
ORDER**

vs.

COUNTY OF ALAMEDA, municipal
corporation; GREGORY J. AHERN,
individually and in his capacity as Sheriff for
the Alameda County Sheriff's Department;
DAVID LINCOLN, individually and in his
capacity as Deputy Sheriff for the Alameda
County Sheriff's Department; JESUS
RUBALCAVA-GOMEZ, individually and in
his capacity as Deputy Sheriff for the
Alameda County Sheriff's Department; and
DOES 1-25, inclusive, individually, jointly
and severally,

Defendants. /

WHEREAS all parties to this action, namely, Plaintiff SUSIE ZAHN, individually and as
successor-in-interest to Decedent GARY OLDHAM and Defendants COUNTY OF ALAMEDA,
GREGORY J. AHERN, DAVID LINCOLN and JESUS RUBALCAVA-GOMEZ, and each of
them (the "Settling Parties"), have reached a mutual and amicable settlement and have entered
into a separate agreement for settlement of this action, the terms of which are set forth in writing
in the "Settlement Agreement and Release of all Claims" ("the Settlement Agreement"), to fully

1 and finally resolve all matters concerning the Settling Parties without trial;

2 WHEREAS the Settlement Agreement covers all the claims between the Settling Parties
3 in this action;

4 WHEREAS the Settling Parties agree to pay their own attorney fees and costs; and

5 WHEREAS there are no further issues for the Court to resolve as between the Settling
6 Parties,

7 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

8 1. This action, including each of Plaintiff's causes of action set out in Plaintiff's
9 Complaint in the above-captioned action against all named defendants, shall be dismissed with
10 prejudice, with each party to bear its own attorney fees and costs.

11 IT IS SO STIPULATED.

12 DATED: December 15, 2017

LAW OFFICES OF JOHN L. BURRIS

13
14 _____
/s/

Lateef H. Gray, Esq.
Attorney for Plaintiff

15
16 DATED: December 15, 2017

EDRINGTON, SCHIRMER & MURPHY LLP

17
18 _____
/s/

Timothy P. Murphy, Esq.
Attorney for Defendants COUNTY OF
ALAMEDA, GREGORY J. AHERN, DAVID
20 LINCOLN, and JESUS RUBALCAVA-GOMEZ

21 **ORDER**

22 Good cause appearing, it is so ordered.

23 DATED:

24 By _____
25 MAGISTRATE JUDGE DONNA M. RYU

**CERTIFICATION BY TIMOTHY P. MURPHY PURSUANT TO LOCAL RULE NO.5-1,
SECTION (i)(3). RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

1. I am an attorney licensed to practice law in the State of California, and am an attorney in the law firm of Edrington, Schirmer & Murphy LLP, counsel for Defendants COUNTY OF ALAMEDA, GREGORY J. AHERN, DAVID LINCOLN and JESUS RUBALCAVA-GOMEZ. The statements herein are made on my personal knowledge, and if called as a witness, I could and would testify thereto.

2. The above e-filed document contains multiple signatures. I declare that concurrence has been obtained from each of the other signatories to file this jointly prepared document with the Court. Pursuant to Local Rule 5-1, section (i)(3), I shall maintain records to support this concurrence for subsequent production for the Court if so ordered, or for inspection upon request by a party until one year after final resolution of the action (including appeal, if any).

I declare under penalty of perjury under the laws of the United States of California that the foregoing is true and correct on December 15, 2017.

/s/
Timothy P. Murphy